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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional): D0932-00178

In re Application of: Jo and Duncan

Application No.: 09/988,985

Filed: November 19, 2001

For: Plastic Rail System Reinforced with Fiberglass Thermoplastic Composites

The owner*, CertainTeed Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/441,530, filed on May 19, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☑ The undersigned is an attorney or agent of record. Reg. No. 32,021

Signature — 12/21/2004 Date

Peter J. Cronk
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215-97901252
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☐ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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